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1632  
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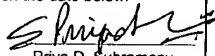
APR 17 2003

TECH CENTER 1600/2900

PSUBRAMONY@FULBRIGHT.COM  
DIRECT DIAL: (512) 536-3067

TELEPHONE: (512) 474-5201  
FACSIMILE: (512) 536-4598

April 11, 2003

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Sequence, Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202, on the date below:	
April 11, 2003	
Date	Priya D. Subramony

**BOX SEQUENCE**

Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

RE: *U.S. Patent Application No. 09/888,233 entitled "ASSAY FOR TOXIN INDUCED NEURONAL DEGENERATION AND VIABILITY IN C. ELEGANS" – Randy D. Blakely et al.*  
*Our reference: VBLT:007US*  
*Client reference: VU0135*

Sir:

Please find enclosed:

- (1) A Response to an Office Communication mailed March 11, 2003;
- (2) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (3) Computer Readable Form of Sequence Listing;
- (4) Paper Copy of Sequence Listing;
- (5) Copy of the Office Communication; and

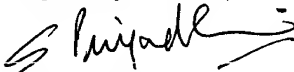
25283701.1

Commissioner for Patents  
April 11, 2003  
Page 2

- (6) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/VBLT:007US.

Respectfully submitted,



Priya D. Subramony  
Patent Agent  
Reg. No. 50,939

PDS/mar  
Encl: as noted



#156  
offer  
4/18/03  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Randy D. Blakely *et al.*

Serial No.: 09/888,233

Filed: June 22, 2001

For: ASSAY FOR TOXIN INDUCED  
NEURONAL DEGENERATION AND  
VIABILITY IN C. ELEGANS

Group Art Unit: 1632

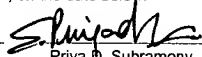
Examiner: Peter Paras, Jr.

Atty. Dkt. No.: VBLT:007US

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APR 17 2003

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April 11, 2003	
Date	Priya D. Subramony

**RESPONSE TO OFFICE COMMUNICATION**

**BOX SEQUENCE**

Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

In response to the Office Communications, dated March 11, 2003, there are enclosed herewith:

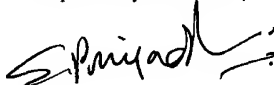
- (a) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (b) Computer Readable Form of Sequence Listing;
- (c) Paper Copy of Sequence Listing; and
- (d) A copy of the Office Communication.

Applicants would like to note that a substitute sequence listing correcting the same minor errors raised in the Office Communication dated March 11, 2003, was already filed in a Response by Applicants on November 6, 2001. In any case, another substitute sequence listing as required by the outstanding Office Communication is submitted herewith.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/VBLT:007US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Priya D. Subramony  
Reg. No. 50,939  
Agent for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: April 11, 2003



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
9/888,233	06/22/2001	Randy D. Blakely	VBLT:007US	7536

7590

03/11/2003

Steven L. Highlander  
Fulbright & Jaworski L.L.P.  
Suite 2400  
800 Congress Avenue  
Austin, TX 78701

EXAMINER

PARAS JR, PETER

ART UNIT

PAPER NUMBER

1632

DATE MAILED: 03/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

REC-117
Date(s) Docketed: 4/11/03
<i>listing due 9/11/03</i>
<i>Original deadline</i>
MAR 17 2003
Client: VBLT: 007US
Attorney(s): JH/PPS
Initials: <i>Ch</i> 332

*60/3/18/03*



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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14

DATE MAILED:

**PI as find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Sequence Compliance**

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. See the attached raw sequence listing error report. Also there appear to be unidentified sequences on page 32 of the specification.

APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

To avoid damage to a CRF by irradiation, a reply to a notice to comply with the sequence rules should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE)
2. Mailed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Mailed by Federal Express, United Parcel Service or other delivery service to: U. S. Patent and Trademark Office, 2011 South Clark Place, Customer Window, Box Sequence, Crystal Plaza Two, Lobby, Room 1B03, Arlington, Virginia 22202
4. Hand Carried directly to the Customer Window at: 2011 South Clark Place, Crystal Plaza Two, Lobby, Room 1B03, Box Sequence, Arlington, Virginia 22202

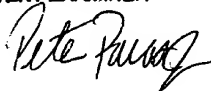
Any inquiry concerning this communication or earlier communications from the examiner(s) should be directed to Peter Paras, Jr., whose telephone number is 703-308-8340. The examiner can normally be reached Monday-Friday from 8:30 to 4:30 (Eastern time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Reynolds, can be reached at 703-305-4051. Papers related to this application may be submitted by facsimile transmission. Papers should be faxed via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CM1 Fax Center numbers are (703) 308-4242.

Inquiries of a general nature or relating to the status of the application should be directed to Dianiece Jacobs whose telephone number is (703) 305-3388.

Peter Paras, Jr.  
Art Unit 1632

**PETER PARAS**  
**PATENT EXAMINER**



APR 14 2003  
APR 15 2003  
Application No.: 09/888,233  
**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: there are unidentified sequences on page 32 of the specification.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

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